

**FILED**

UNITED STATES DISTRICT COURT  
IN THE UNITED STATES DISTRICT COURT ALBUQUERQUE, NEW MEXICO

FOR THE DISTRICT OF NEW MEXICO

FEB 12 2018

**MATTHEW J. DYKMAN**  
CLERK

UNITED STATES OF AMERICA, )

Plaintiff, )

vs. )

**FRANCISCO OLVERA-HOLGUIN,** )

Defendant. )

CRIMINAL NO. 18-MJ-0379

WAIVER OF PRELIMINARY HEARING AND  
CONTINUANCE OF GRAND JURY PRESENTMENT

1. I am the defendant in this criminal proceeding.

2. I understand that I am entitled to a preliminary hearing, but I agree to waive my right to that hearing in exchange for the following:

- ☒ Pre-indictment discovery  
☒ Pre-indictment plea negotiations

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☐

3. I understand that I have a right to have my case presented to a grand jury within thirty (30) days of my arrest pursuant to 18 U.S.C. § 3161(b).

4. I hereby request a continuance of grand jury presentment for an additional period not to exceed 75 days from the date of my arrest for a total of 105 days. By that I mean that there be a 75 day period of excludable time for the purposes of determining compliance with the speedy indictment provision of 18 U.S.C. § 3161(b). I further request that an Order be entered providing

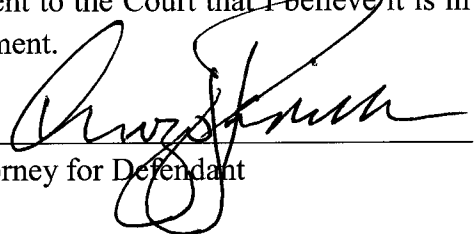
that this time period shall be excluded from speedy indictment time computation pursuant to 18 U.S.C. § 3161(h)(7)(A).

5. Continuing the grand jury presentment will allow my attorney to attempt to negotiate a pre-indictment plea agreement with the government, whose terms may be more acceptable to me than those of an agreement offered after indictment.

6. If I cannot reach an agreement with the United States Attorney's Office, I understand that my case will be presented to a grand jury at a later date, consistent with this waiver.

Francisco Olvera  
**FRANCISCO OLVERA-HOLGUIN**  
Defendant

I have reviewed the foregoing document in (English/Spanish) with my client and represent to the Court that he/she understands it. I further represent to the Court that I believe it is in my client's best interest to agree to the contents of this document.

  
Attorney for Defendant

Date: 02-12-2018